IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.9.2007

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN

Writ Petition Nos.30060 of 2007

Parveen Travels (P) Ltd.,
148, Perambur Barracks Road,
Purasawalkam, Chennai - 600 007 .. Petitioner

vs.

Transport Commissioner
State Transport Authority
Chepauk, Chennai - 600 005 .. Respondent

This writ petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the respondent to grant replacement by replacing the existing vehicle No.TN-21/H-2073 by new vehicle having Engine No.DPH445919 & Chassis No.CPG045910 as per the orders of the Hon'ble Supreme Court of India made in I.A.No.4,5 & 7 in Civil Appeal No.1178 of 2006, dated 29.9.2006, and 9.4.2007 in respect of the petitioner's application dated 25.7.2007 for replacement of the vehicle.

For petitioner : Mrs.Radha Gopalan

For respondent : Mr.A.Arumugam
Additional Government Pleader

O R D E R

Mr.A.Arumugam, the learned Additional Government Pleader takes notice for the respondent.

2. With the consent of the learned counsels appearing on either side, the writ petition is taken up for final disposal.

3. Though the prayer is for a larger relief, the learned counsel appearing on behalf the petitioner has submitted that it would suffice, if the respondent is directed to consider and dispose of the application of the petitioner, dated 25.7.2007, to grant replacement by replacing the existing vehicle No.TN-21/H-

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2073 by new vehicle having Engine No.DPH445919 & Chassis No.CPG045910, taking into consideration of the orders passed by the Supreme Court in I.A.No.4,5 & 7 in Civil Appeal No.1178 of 2006, dated 29.9.2006 and 9.4.2007, and in accordance with Section 83 of The Motor Vehicles Act, 1989, within a specified period.

4. Considering the limited prayer sought for by the learned counsel appearing on behalf of the petitioner, without going into the merits of the case, the respondent is directed to consider and dispose of the application of the petitioner, dated 25.7.2007, to grant replacement by replacing the existing vehicle No.TN-21/H-2073 by new vehicle having Engine No.DPH445919 & Chassis No.CPG045910, taking into consideration the orders passed by the Supreme Court in I.A.Nos.4,5 & 7 in Civil Appeal No.1178 of 2006, dated 29.9.2006 and 9.4.2007, and in accordance with Section 83 of The Motor Vehicles Act, 1989, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of the order. The petitioner is directed to furnish a copy of the application of the petitioner, dated 25.7.2007 as well as the copy of the orders passed by the Supreme Court in I.A.Nos.4,5 & 7 in Civil Appeal No.1178 of 2006, dated 29.9.2006 and 9.4.2007, to the respondent, along with a copy of this order.

With the above directions, the writ petition is disposed of. No costs.

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Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

To

Transport Commissioner
State Transport Authority
Chepauk, Chennai - 600 005

+ 1 cc to Mrs. Radha Gopalan, Advocate SR No. 57605
+ 1 cc to the Government Pleader, SR No.57773

KG(CO)
SR/20.9.2007

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